

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION V

IN THE MATTER OF:)
)
U. S. SCRAP CORPORATION,)
Chicago, Illinois,)
)
 and)
)
9TH AVENUE DUMP,)
Gary, Indiana)

The deposition of LEONARD M. SPIRA,
taken before Charles R. Zandi, a notary public in
and for the County of Cook and State of Illinois, at
400 East Randolph Street, Apartment 2827, Chicago,
Illinois, on the 25th day of January, 1988, at the
hour of 10:30 o'clock a.m., pursuant to Subpoena.

BAKER, FENNELL & ASSOCIATES, INC.

188 W. RANDOLPH ST., SUITE 2599
CHICAGO, ILLINOIS 60601
(312) 346-4179
(312) 984-1033
OUTSIDE ILLINOIS CALL 1-800-443-7108

REPORTED BY: CHARLES R. ZANDI, CSR

APPEARANCES:

U.S. ENVIRONMENTAL PROTECTION AGENCY
SOLID WASTE & EMERGENCY RESPONSE BUREAU
REGION V
ASSISTANT REGIONAL COUNSEL
BY: MR. EDWARD J. KOWALSKI, and
MS. MARY E. HAY

Appeared on behalf of the U.S. EPA.

I N D E X

WITNESS: LEONARD M. SPIRA

PAGES

BY MR. KOWALSKI:

EXAMINATION

3-23

BY MS. HAY:

EXAMINATION

23-28

1 MR. KOWALSKI: For the record, this will be the
2 deposition of Mr. Leonard Spira --

3 THE WITNESS: Would you do me a favor, please.
4 Would you talk a little louder. I don't hear too
5 well.

6 MR. KOWALSKI: For the record this is the
7 deposition of Mr. Leonard Spira, which is proceeding
8 pursuant to a subpoena issued under CRCLA.

9 Mr. Spira, I sent you a --

10 THE WITNESS: Incidentally, I indicated to you
11 that I had received two of them.

12 MR. KOWALSKI: Okay. Thank you.

13 THE WITNESS: Okay. I'm sorry. I'll keep one,
14 if you don't mind.

15 MR. KOWALSKI: Off the record for a second.

16 (Discussion held off the record.)

17 LEONARD SPIRA,

18 called as a witness herein, having been first duly
19 sworn, was examined and testified as follows:

20 EXAMINATION

21 BY MR. KOWALSKI:

22 Q Mr. Spira, could you tell me what your date
23 of birth is?

24 A November 3rd, 1902.

1 Q And, sir, you're an attorney, correct?

2 A I was, yes, since 1929. I've been a member
3 of the Chicago and Illinois Bar Associations since,
4 I think, June 29th, 1929, and the American Bar
5 Association since 1954, the Florida Bar Association
6 since 1953, and I hold a Doctor of Letters Degree
7 from Shimer College.

8 Q Mr. Spira, when was the last time you
9 practiced law?

10 A I think that when I became a trustee for
11 the benefit of creditors in 1965, I stopped
12 practicing law, although I might have had a case or
13 so holding over or something. I don't remember.
14 It's possible that I did get a little -- did have a
15 little. I don't remember.

16 Q Okay. How long were you a trustee for the
17 benefit of creditors?

18 A From 1965 until, I would say, June 1977,
19 when I had my fourth stroke. At that time, I
20 stopped. And then in -- I think it was October when
21 I had my third stroke, the doctor told me -- or
22 fourth stroke -- it was not really a stroke. They
23 treated me for a stroke for a year and a half in
24 December, but it was starting a brain tumor.

1 I think that in the early part of 1978, I
2 wanted to see if I was able to handle any business,
3 and I handled a couple of very small cases. But the
4 lawyer who gave them to me, I couldn't -- I couldn't
5 do the work. And so I -- pardon me.

6 (Brief interruption.)

7 BY MR. KOWALSKI:

8 Q So, in essence, Mr. Spira, you've been
9 retired since 1978?

10 A I've really been retired since the latter
11 part of June 1977. I did, as I say, try to --

12 Q Handle a couple of smaller matters after
13 that?

14 A But I couldn't make it, because the brain
15 tumor affects various parts of the brain. And the
16 part of the brain that I was operated on, removed,
17 had to do with figures and numbers, dates.

18 Q Okay. That's fine, Mr. --

19 A And I can't add -- or it's difficult. I
20 was what was known as an arithmetic shark, but I
21 have difficulty in -- when I write it -- when he has
22 a check that I sign, because I can't write much. I
23 can just barely sign my name. I -- just a few
24 lines. In addition to that, I -- so I can

1 practically say that -- that -- from the latter part
2 of June until a couple of small -- I know that when
3 I had my third stroke --

4 (Short interruption.)

5 BY THE WITNESS:

6 A So, I can say, for all intents and
7 purposes, I really retired, with the exception of a
8 couple of small cases, in the early part of 1978. I
9 did no business. I know after I had my third
10 stroke, I thought that that was the end. And after
11 a while, I went to California to see a brother of
12 mine.

13 Q Okay. Mr. Spira --

14 A All right. I'm talking too much.

15 Q It will probably go faster if I just ask
16 you some very specific questions. That's okay.

17 A I'm sorry.

18 Q During the time that you served as a
19 trustee for the benefit of creditors, where was your
20 office located?

21 A At first, at 111 West Monroe, I think the
22 block after Adams -- block after Madison. And then
23 later, when I moved -- originally had a two-bedroom
24 apartment in this building, I conducted my business

1 from my office.

2 Q Here at 400 East Randolph?

3 A Yes.

4 Q Do you recall when you made that move?

5 A Not exactly. I --

6 Q All right. In 1976, do you recall which
7 building you were practicing out of?

8 A 1976?

9 Q Yes.

10 A I imagine I was trying -- I was in -- in
11 400 East Randolph, I believe. That's the best of my
12 recollection.

13 Q That's fine, sir. If you don't recall,
14 just tell me that, and we'll go on to other
15 questions.

16 When you were practicing as a trustee, did
17 you have any partners, or did you practice by
18 yourself?

19 A By myself.

20 Q Okay. And did you practice under any
21 particular business name?

22 A No. Well, as an attorney, Leonard M.
23 Spira. As a trustee, Leonard M. Spira, trustee for
24 the benefit of creditors.

1 Q And when you served as trustee, Mr. Spira,
2 who was your client or clients?

3 A Lawyers.

4 Q We're concerned here, Mr. Spira,
5 specifically with a period of time when you acted as
6 trustee for a company called U.S. Scrap Corporation
7 or U.S. Scrap Company.

8 A Yes, sir.

9 Q Do you recall acting as trustee for that
10 company?

11 A I only -- the name is familiar to me, but I
12 don't remember anything about it. I had quite a
13 number of cases, and I have, as I've told you, I
14 have been really -- I've been ill, and my memory
15 isn't what it was. But I don't remember. I don't
16 remember any particular about that case.

17 Q Okay.

18 A Other than the fact that I may have been
19 trustee.

20 Q Do you recall who your client -- who gave
21 you that case?

22 A No, no, I don't.

23 Q Do you recall when you handled that
24 particular matter?

1 A No.

2 Q Do you specifically recall being given any
3 records pertaining to the U.S. Scrap Corporation or
4 company?

5 A All I can say is I usually got records.
6 There were times that I didn't. Sometimes what I
7 was primarily interested in was to get a list of the
8 accounts payable so that I could send out notice to
9 the creditors that I was trustee and ask them to
10 send in their claims. There were times when I
11 checked the -- when I got books, but I can't
12 remember if I got books all the time.

13 Q Okay.

14 A I probably did.

15 Q Okay. When you would get books -- I'm
16 talking now, Mr. Spira of the period of time 1975 or
17 1976. Okay? During that period of time when you'd
18 get a company's book, what would you do with them?

19 A I'd be in my office.

20 Q Would you keep those books forever?

21 A No. I disposed of everything.

22 Q How long would you keep the books or the
23 records for a company?

24 A Usually ten years.

1 Q Then you said you would dispose of them.
2 Where would you dispose of them?

3 A Down the chute.

4 Q Down the garbage chute?

5 A Yes. There was no need for them any
6 further.

7 Q Would you keep any kind of log or index as
8 to when you destroyed records or when you kept them?

9 A No. You must understand that, as I
10 mentioned to you, I had a stroke in 1971. And then,
11 about the middle of June of 1977, from that time on,
12 I have been ill. I've had more strokes, brain
13 tumor, prostate operation, two heart attacks, the
14 second one coupled with kidney failure and
15 gallbladder, and a number of others. I made
16 countless trips -- I had live-in nurses. I made
17 countless trips to the doctor.

18 And I just -- it's -- I don't know why I'm
19 at 75 with all of this, and my blood pressure,
20 believe it or not, was 117 over 74.

21 Q When you were acting as a trustee,
22 Mr. Spira, did you have any kind of office help or
23 office assistance?

24 A Yes. I had a man who's now -- who's been

1 dead for five -- four, five, or six years, who --
2 when I got a case, I would have him go to the
3 premises of the debtor.

4 Now, at the -- originally, and on occasion
5 thereafter, I would go, too. But at the latter part
6 of my trusteeship, I was so busy and he was
7 competent, and he would go out and take possession
8 and make arrangements. And I would then call an
9 auctioneer, and the auctioneer would proceed to
10 sell.

11 Q What was that man's name who helped you out
12 in your practice?

13 A You have to forgive me. He's dead. Homer
14 Glasser.

15 Q Did he live here in Chicago?

16 A He did. But as I say, he's been gone for
17 five or six years.

18 Q Was he an attorney?

19 A No. He was -- I met him in a case that I
20 got where he was working for the company; and I took
21 him and asked him if he wanted to work for me, and
22 he did.

23 Q When you retired after your illness in 1977
24 and 1978, Mr. Spira, did someone take over your

1 business practice at that time?

2 A In 1977, the latter part, and I think
3 October or thereabouts, when my doctor told me that
4 I could no longer practice, that I had to -- I
5 couldn't do anything anymore, I turned over what I
6 had to another trustee named Edward Limparis
7 (phonetic). I thought, and I was under the
8 impression that Limparis was succeeding me as
9 trustee. I later learned that he wasn't, that he
10 merely took the records and then returned them to
11 me.

12 Now, I want to make it clear that I did not
13 get any assignments from the bankruptcy court.
14 These were all out-of-court assignments.

15 Q Okay.

16 A So, I did not have to account to the
17 bankruptcy court.

18 Q These records that Mr. Limparis returned to
19 you in -- how long after you gave them to him did he
20 return them to you?

21 A Oh, I have to speculate. Maybe a year.
22 I don't remember.

23 Q Did you give all your records to
24 Mr. Limparis?

1 A Yes.

2 Q Okay. And did he return all of your
3 records to you?

4 A As far as I know.

5 Q And after he returned them to you, what did
6 you do with them?

7 A I kept them. I kept them. There was no --
8 nothing to be done as far as the cases themselves.
9 My business, after I had my stroke, had tapered off.
10 I mean, I hadn't been taking -- I had -- I had, what
11 I thought, completed all that I had to do with the
12 cases. There may have been one or two that were
13 still open that I took care of later somehow. I
14 don't know. I don't remember.

15 Q Do you still have any of those records,
16 Mr. Spira?

17 A No, sir. I don't have any records.

18 Q Were all of those records disposed of, or
19 were some of them given to other people or --

20 A No. They were all disposed of.

21 Q In disposing of them, did you dispose of
22 all of them at once?

23 A I really don't remember. When I -- when I
24 had to go to a nursing home, I let a brother of

1 mine, who also is dead, in the apartment. And --
2 because I went to a nursing home, and this was a
3 condominium. And so he went in there, and I believe
4 that while he was there, some of the records may
5 have been disposed of. I am not certain.

6 Q After your retirement, when these records
7 were eventually destroyed, did you look at a
8 specific case and see that it was ten years and then
9 dispose of them?

10 A No. Because I knew that, with the
11 exception of those couple, that all of them were
12 longer than ten years.

13 Q When you got these records, would you get
14 the original records, or would you get copies?

15 A I can't say.

16 Q Did you ever return any of the records to
17 your client or to the corporation?

18 A I don't believe so. But I want to make it
19 clear that I did not always get the records. There
20 were some cases that were so small -- I mean, there
21 was only a few thousand dollars, four, five, or
22 eight or 10,000 involved, that I was primarily
23 interested in notifying the creditors and selecting
24 whatever accounts receivable there were and

1 liquidating the assets.

2 Q Do you remember ever having any companies
3 that you served as trustee for who were waste
4 haulers or waste companies, Mr. Spira?

5 A I wouldn't recall that. I wouldn't know
6 that.

7 Q Okay. Did you get involved at all with the
8 substance of the companies you were acting as
9 trustee for?

10 A Get involved? What do you mean?

11 Q In the course of your duties as trustee,
12 would you come to learn the nature of the specific
13 company you were handling?

14 A Not particularly. I was merely -- you see,
15 the lawyers found out, learned that when they filed
16 a petition in bankruptcy for a client, that they'd
17 have to go through a lot of paperwork and wait a
18 long time for their fees and so on. And they found
19 out that it was simpler to make an assignment to a
20 trustee who -- who was conducted a legitimate
21 business and who was honest, and that he could do
22 it.

23 And once they made the assignment, all
24 they -- they didn't have anything to do, that I had

1 to do all of the work. And whatever work there was
2 to be done, I did.

3 Q Apart from the records you received from
4 your client as trustee, I suppose you had other
5 papers that you generated in connection with your
6 work, is that right?

7 A No. I wasn't -- other -- no. I wasn't --
8 when I became a trustee and I started to do
9 business, I no longer handled any legal work to
10 amount to anything.

11 Q But the letters you would send and papers
12 you would generate in connection with your work as
13 trustee, would you keep those in a file?

14 A Yes.

15 Q Okay. Have you retained any of those
16 files?

17 A No.

18 Q Where are those?

19 A Those are what I'm telling you I disposed
20 of.

21 Q Okay. I'm making a distinction here, Mr.
22 Spira, between papers that you would have generated
23 yourself and documents you may have --

24 A All in the same category.

1 Q Okay. Were all of those kept together?
2 Did you keep your --

3 A I had a separate file for every case. I
4 opened up a separate bank account for every case.

5 Q Where would you open up your bank accounts?

6 A You mean what banks?

7 Q Yes.

8 A Originally, at the LaSalle National. Then,
9 at the -- when the man taking care of the accounts
10 left there and became president of the Bank of River
11 Forest, I did my business there. And when he left
12 there to become president of Lincoln National, I
13 transferred -- I mean, I didn't transfer, I did my
14 business there.

15 Q In 1975 and 1976, that period of time, how
16 many clients would you have as trustee?

17 A In 1975 and 76?

18 Q Yes.

19 A It's hard for me to say.

20 Q If you could just give me a general idea.
21 Are we talking a hundred, thousands?

22 A I would say in those two years, I may have
23 handled 30, 40, somewhere -- I don't know. I
24 can't -- I can't -- I'm only guessing.

1 Q Mr. Spira, does the name Steve Martel sound
2 familiar to you?

3 A No, sir. Only since you have mentioned it.

4 Q I mentioned it to you earlier on the phone.

5 A Yes, sir.

6 Q Okay. How about Frank or Steve Charillo?

7 A No, sir.

8 Q David Head?

9 A I beg your pardon?

10 Q Does the name David Head sound familiar to
11 you?

12 A No. I don't even know what you're saying
13 now.

14 Q William Wise?

15 A No.

16 Q Mary Dwyer?

17 A No.

18 Q Jack Sarr?

19 A No.

20 Q James Regis?

21 A No.

22 Q Do you recall ever acting as trustee for
23 the Riverdale Bank or the Central National Bank?

24 A No. I never was trustee for a bank.

1 Q When you acted as trustee, it would always
2 be for an attorney?

3 A No, no, not for an attorney. The attorney
4 who represented a debtor would, rather than file a
5 petition in bankruptcy, make an assignment -- have
6 the debtor make an assignment. The attorney didn't
7 make the assignment. The debtor made the
8 assignment.

9 Q Okay. How many attorneys, during the time
10 period of 1975 or 1976, would come to you with
11 debtors?

12 A Oh, I would say maybe a dozen. I can't --
13 I can't say.

14 Q Okay. You said, Mr. Spira, that sometimes
15 you would go out to the premises of the debtor you
16 were representing?

17 A On occasion, when there would be a -- what
18 I would call a lot of money involved, I would go out
19 to take a look at the place.

20 Q Do you ever remember going out to any
21 debtor in the area of 122nd Street and Cottage
22 Grove, the South Side of Chicago?

23 A No. I once owned some land at 95th and
24 Torrence, and I used to go there, but I don't

1 remember.

2 Q How did you determine how long you would
3 keep the records for a particular debtor?

4 A I didn't make any determination.

5 Q You just had a general rule of ten years?

6 A I didn't make any -- I just -- out of the
7 blue sky, I became incapacitated, and that was the
8 end of it.

9 Q Mr. Spira, is there anyone else who would
10 have any knowledge regarding what might have
11 happened to the records you were holding at the time
12 of your retirement?

13 A No, sir.

14 Q You earlier mentioned an Edward Limparis
15 who at one time was given these records.

16 A Yes. But he returned them.

17 Q Is he an attorney?

18 A No. He was a trustee, too, like me.

19 Q Did he practice in Chicago?

20 A Yes.

21 Q Do you recall where?

22 A On the West Side some place.

23 Q Do you know if he's still practicing as a
24 trustee?

1 A I think so. I think he is still
2 practicing, but I'm not sure. I haven't been in
3 touch -- I haven't seen him in -- since ten years or
4 more.

5 Q Since your retirement, Mr. Spira, in 1977
6 or 1978, have you been contacted by any debtors or
7 any attorneys regarding any of the matters you were
8 handling?

9 A I can't recall for sure whether anybody
10 called. I can't recall.

11 Q You don't recall ever being contacted by
12 anyone regarding this U.S. Scrap Corporation prior
13 to my contacting you?

14 A No, sir. That, I am certain of. U.S.
15 Scrap, to the best of my recollection, was a small
16 case. They weren't -- I mean, that's -- my
17 figure -- I don't remember, frankly. I don't. I
18 shouldn't even say that. I don't remember.

19 Q Okay. Let me just ask you about a couple
20 of other companies, Mr. Spira, and ask if you've
21 ever heard of these. Liquid Engineering
22 Corporation?

23 A No, sir.

24 Q Penn-Central Corporation?

1 A Beg your pardon?

2 Q Penn-Central corporation?

3 A No, sir.

4 Q Liquid Waste, Inc.?

5 A No, sir.

6 Q U.S. Drum Disposal Corporation?

7 A No, sir.

8 Q Calumet Containers?

9 A No, sir.

10 Q Streiker corporation?

11 A No, sir.

12 Q Streiker international corporation?

13 A No, sir.

14 MR. KOWALSKI: Do you have any questions?

15 MS. HAY: Yes.

16 MR. KOWALSKI: Mr. Spira, Mary Hay has some
17 questions for you.

18 THE WITNESS: Now, I want you to understand
19 something. That while I am doing fairly well,
20 considering everything, that I am -- as far as my
21 memory is concerned and my condition is concerned,
22 I'm not 100 percent. In fact, I can't understand
23 why I'm still alive.

24

1 BY MR. KOWALSKI:

2 Q After your retirement, Mr. Spira, did
3 someone handle your business affairs for you, or did
4 you continue handling them?

5 A No. I just -- I just left. There was
6 nothing left for me to do.

7 Q There was no tying up of loose ends or any
8 type of work like that?

9 A There may have been. I am sure there was,
10 but I don't remember.

11 Q Do you know who would have taken care of
12 that?

13 A I don't know.

14 MR. KOWALSKI: Okay.

15 BY MS. HAY:

16 Q Mr. Spira --

17 A Yes, ma'am.

18 Q -- you mentioned Mr. Homer Glass.

19 A Glasser.

20 Q Glasser?

21 A Yes.

22 Q Who came to work with you.

23 A Yes, ma'am.

24 Q When did he come to work for you? Do you

1 recall?

2 A Well, I would say about 1966, '67, '68, in
3 that period.

4 Q Was Mr. Glasser still with you when you
5 terminated your business?

6 A Yes.

7 Q During that period of time, did you have a
8 secretary working with you?

9 A No, ma'am. I did everything myself.

10 Q You did all the typing?

11 A I did everything. Well, when it came to
12 typing a letter to creditors, I did it myself. When
13 I had what you call heavy work, I would use a public
14 stenographer. But I did not -- I took care of my
15 work. I can type. I mean, I could. And I -- and I
16 did. That's why I was so busy all the time. I
17 worked Saturdays, Sundays, evenings.

18 Q Now, Mr. Spira, when you got records
19 involving a case, what were the records like?

20 A Well, now you're asking me -- this was a --

21 Q Were they receipts?

22 A No. Records would be -- as I recall, would
23 be books and records. Books. I don't know. Books.

24 Q Accounts receivable, accounts payable?

1 A Yes, yes.

2 Q The books of the company?

3 A Yes.

4 Q Did you have, within those records, any
5 bills of lading?

6 A Honey, I don't remember.

7 Q When the records came to you, did they come
8 to you in boxes?

9 A No. They were in -- I think Homer would
10 pick them up and bring them down to me.

11 Q So, they were perhaps in notebooks?

12 A I beg your pardon?

13 Q They were in notebooks? They came to you
14 just as they were from the company?

15 A Yes.

16 Q When Mr. Edward Limparis took the records
17 from you and then later returned them, why did he
18 return them to you?

19 A He -- when he took it, it is my opinion, he
20 thought that I was -- still had a lot of business
21 that was being turned over. And when it developed
22 that there wasn't -- this is strictly my opinion --
23 he -- "What did you do for me lately?" He didn't --
24 I didn't have -- it wasn't worth his while. That's

1 all.

2 Q And that's the reason he returned them? He
3 didn't want anything to do with them?

4 A Miss, you're asking me to speculate. I
5 can't.

6 Q Okay. During your conversation with
7 Mr. Kowalski here, you mentioned the sizes of some
8 of the cases that you handled as being very large or
9 very big or very small. Why would you -- how would
10 you characterize a case as being large?

11 A If I could make a decent fee out of it.

12 Q And that fee would be based upon the amount
13 of time you put into the case?

14 A Well, I usually took a 10 percent fee.

15 Q Can you characterize what would be a big
16 case to you?

17 A Oh, I -- I considered anything that would
18 be over 20,000, in that area, that would be
19 worthwhile, that I could make a couple of thousand
20 dollars. Because I had to put in a lot of work, you
21 know, sending out notices to creditors, checking
22 the -- going after the accounts, answering countless
23 telephone calls from creditors. This is all -- took
24 a lot of time, a lot of --

1 Q Would a case involving \$100,000 --

2 A That would be a good case.

3 Q Do you remember any of the cases that were
4 of that size, that proportion?

5 A Yes. I had one, but I don't remember the
6 name of it.

7 Q Earlier this morning, Mr. Spira, you
8 mentioned that you usually kept the records of the
9 cases for ten years. What happened to the cases
10 that you dealt with just before you closed out your
11 business?

12 A They were in the -- in file boxes in the
13 shelf.

14 Q Well, if you had a case in 1976 and you
15 stopped your business in '77 and '78, the '76 case
16 would still be relatively recent transaction.

17 A It didn't amount to anything. I -- I
18 stopped getting any real business before that. I
19 had -- after I had my -- well, it was during the
20 period that I was -- I was not too well.

21 After the middle of June, I think it was,
22 of 1977, I had another stroke. That was the second
23 one. And at that time, I thought that this -- that
24 I was not going to last very long. And that's why I

1 went to California after a while to visit a brother
2 of mine, because I thought it would be the last
3 time, and it was. Because he passed away. So, I
4 didn't do too much business during that period.

5 Q When you say "that period," you're
6 referring to --

7 A I would say from 1976, the latter part of
8 there, until the end, I -- I -- I am not -- I can't
9 be pinned down, honey. I just don't remember.

10 Q Let me just ask you one more question.
11 When Mr. Glasser was still working for you and
12 assisting you with bringing in files and so forth,
13 are you aware at any time whether he took files back
14 to a company?

15 A I don't know what Mr. Glasser did. As far
16 as I know, he didn't. I -- I don't know why he
17 would have occasion to.

18 Q Did you at any time store files of cases in
19 any other building?

20 A No, ma'am.

21 MS. HAY: Okay. Thank you.

22 MR. KOWALSKI: Mr. Spira, being an attorney, you
23 know that when we have this written up, you can
24 reserve the right to read it and sign it, or you can

1 waive your signature and trust that the court
2 reporter took your testimony down accurately.

3 Do you have a preference in that regard,
4 sir?

5 THE WITNESS: Well, I can't read. As a matter
6 of fact, I'm having a problem now. I dropped my
7 glasses, and I told Stacy to get them, and instead
8 of that, he went way out south and wound up getting
9 new glasses.

10 And my glasses are prescription. As a
11 matter of fact, my doctor, the eye specialist talked
12 to my doctor for half an hour to decide about -- so
13 I have that glass. And I can't see too well out of
14 it. Now, I -- I couldn't -- frankly, I can't read.
15 I couldn't read the print here -- I mean the -- on
16 the "TV Guide." The fine stuff I can't read. So,
17 for me to sign something I can't read I don't think
18 would be fair.

19 MR. KOWALSKI: Okay. You could probably have
20 someone read it to you and then sign off on it.

21 THE WITNESS: Well, let me ask you, is there
22 some question in your mind about the veracity of my
23 testimony?

24 MR. KOWALSKI: No, sir. It's just -- signature

1 is commonly waived by the person giving his
2 statement.

3 THE WITNESS: Well, I suppose I can waive it. I
4 don't -- I -- I'm at a point in life, frankly, that
5 I don't care anymore. When I go to bed at night, I
6 don't know if I'm going to wake up in the morning.
7 So I just don't care anymore.

8 MR. KOWALSKI: Okay. You want to waive
9 signature then?

10 THE WITNESS: Yes. I'll waive my --

11 MR. KOWALSKI: Okay. Thank you, Mr. Spira. I
12 appreciate your cooperation.

13
14 ----oOo----

1 STATE OF ILLINOIS)
2) SS:
3 COUNTY OF C O O K)

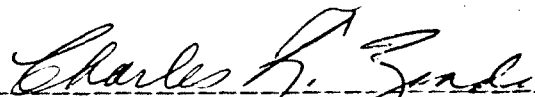
4 I, CHARLES R. ZANDI, CSR, a notary
5 public in and for the County of Cook and State of
6 Illinois, do hereby certify that LEONARD M. SPIRA
7 was by me first duly sworn to testify to the truth,
8 the whole truth, and nothing but the truth, and that
9 the above deposition was recorded stenographically
10 by me and reduced to typewriting by me.

11
12 I FURTHER CERTIFY that the foregoing
13 transcript of the said deposition is a true,
14 correct, and complete transcript of the testimony
15 given by the said witness at the time and place
16 specified hereinbefore.

17
18 I FURTHER CERTIFY that I am not a
19 relative or employee or attorney or counsel of any
20 of the parties, nor a relative or employee of such
21 attorney or counsel, or financially interested
22 directly or indirectly in this action.
23
24

1 I FURTHER CERTIFY that my
2 certificate annexed hereto applies to the original
3 and typed transcripts only, signed and certified
4 transcripts only. I assume no responsibility for
5 the accuracy of any reproduced copies not made under
6 my control or direction.
7

8 IN WITNESS WHEREOF, I have hereunto
9 set my hand and affixed my seal of office at
10 Chicago, Illinois, this 29th day of January,
11 A.D. 1988.

12 

13 CHARLES R. ZANDI, CSR
14 188 West Randolph Street
15 Chicago, Illinois 60601
16 (312) 984-1033

17 C.S.R. License No. 84-3058.

18 My notary commission
19 expires June 1, 1988.
20
21
22
23
24